591388 B: 800 P: 79 RES
12/19/2019 08:58:39 AM Page: 1 of 3 R 0.00 D
Dallas Schroeder Recorder, Elbert County, Co

STATE OF COLORADO	}
	} ss
COUNTY OF ELBERT	}

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Courthouse in Kiowa on Wednesday, the 18th day of December, 2019, there were present:

Christopher Richardson Chair
Grant Thayer Vice Chair
Rick Pettit Commissioner

Amanda Moore Deputy Clerk to the Board

When the following proceedings, among others were had and done, to wit:

APPROVE RESOLUTION 19-72

<u>PP-18-0019 & FP-18-0039 SPRING VALLEY RANCH FILING #5</u>. A REQUEST TO SUBDIVIDE A 472.2 ACRE PARCEL INTO 350 SINGLE-FAMILY RESIDENTIAL LOTS, 15 TRACTS, AND RIGHTS-OF-WAY ON PROPERTY LOCATED NORTH OF COUNTY ROAD 174 AND EAST OF COUNTY ROAD 13, ELIZABETH.

WHEREAS, the owner, Spring Valley Land Investments, LLC, with its representative, CJ Kirst of Tahoe Land Consulting, LLC, has submitted applications (# PP-18-0019 & FP-18-0039) requesting approval of a subdivision creating 350 single-family residential lots, 15 tracts, and rights-of-way on a 472.2 acre property located north of County Road 174 and east of County Road 13, Elizabeth; and

WHEREAS, the proposed project is located in Section 30, Township 6 South, Range 64 West of the 6th Principal Meridian in Elbert County; and

WHEREAS, the Community and Development Services Department and the Planning Commission made the following Findings related to the applications:

- 1. The proposal is in general conformance with the Elbert County Comprehensive Plan; and
- 2. The proposal meets the criteria for approval in the Elbert County Zoning Regulations including the Spring Valley Ranch PUD; and
- 3. The proposal meets all the criteria for approval in the Elbert County Subdivision Regulations; and
- 4. The proposal is compatible with existing and allowable land uses in the surrounding area; and
- 5. The proposal will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

WHEREAS, on November 19, 2019, the Planning Commission held a public hearing on this

application. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. On a vote of 6 to 0 the Planning Commission forwarded their recommendations to the Board of County Commissioners for their consideration; and

WHEREAS, on December 11, 2019, the Board of County Commissioners held a public hearing on this application. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. After discussion and revisions to conditions of approval this application was continued to a date certain of December 18, 2019; and

WHEREAS, the Board of County Commissioners, having found that this hearing was properly noticed, and having reviewed the recommendations of the Planning Commission, and having reviewed the documentation of the applicant, and having listened to all public comment, and being fully advised in the premise.

BE IT THEREFORE RESOLVED, the Board of County Commissioners does hereby approve **PP-18-0019 & FP-18-0039 SPRING VALLEY RANCH FILING #5** with conditions of approval to include:

- 1. The applicant will be required to remove the Public Hearing sign within seven (7) days of a decision by the Board of County Commissioners, and
- 2. The Preliminary and Final Plat shall not become effective until all fees associated with Filing #5 are paid, including any and all engineering, planning, and applicable fees (impact fees are due at time of building permit), conditions of approval are met, the Plats are recorded, and
- 3. A Subdivision Improvement Agreement (SIA, \$2,500) for Spring Valley Ranch Filing #5, to which the Elbert County Attorney approves of the terms and conditions, shall be fully executed within 90 days; and
- 4. All Spring Valley 3rd Amended Development Guide Agreement (DGA) off-site improvements shall be completed to County requirements/standards prior to issuance of the fourth building permit associated with Filing #5; and
- 5. The applicant shall obtain final County approval for the plans of all off-site improvements associated with the 3rd Amended DGA, to include those associated with Filing 5 prior to the issuance of the fourth building permit for Filing #5, unless otherwise stipulated in the SIA; and
- 6. All off-site improvements associated with the 3rd Amended DGA, to include those associated with Filing 5 shall be inspected, approved, bonded at 110-120%, as articulated in the SIA, of engineer's certified gross cost estimate, and entered into initial warranty prior to issuance of the fourth building permit for Filing #5, unless otherwise stipulated in the SIA; and
- 7. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.

591388 B: 800 P: 79 RES 12/19/2019 08:58:39 AM Page: 3 of 3 R 0.00 D Dallas Schroeder Recorder, Elbert County, Co

Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:

CHRISTOPHER RICHARDSON

GRANT THAYER

RICK PETTIT

ATTEST: AMANDA MOORE

DEPUTY COUNTY CLERK

BY: (mandaw Moose

Deputy Clerk to the Board